



SPECIALIST PROSECUTOR'S OFFICE
ZYRA E PROKURORIT TË SPECIALIZUAR
SPECIJALIZOVANO TUŽILAŠTVO

In: **KSC-BC-2020-07**
The Prosecutor v. Hysni Gucati and Nasim Haradinaj

Before: **Trial Panel II**
Judge Charles L. Smith, III, Presiding Judge
Judge Christoph Barthe
Judge Guénaél Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor

Date: 15 October 2021

Language: English

Classification: Confidential

**Confidential Redacted Version of Prosecution Response to WPSO's Request for
Protective Measures for Witnesses W04841 and W04842**

Specialist Prosecutor's Office

Jack Smith

Counsel for Mr Gucati

Jonathan Elystan Rees

Counsel for Mr Haradinaj

Toby Cadman

1. The Specialist Prosecutor's Office ('SPO') is mindful that it previously requested protective measures for these witnesses,¹ that its relief sought was rejected,² and that it did not seek leave to appeal this ruling. The SPO is not seeking to relitigate this matter, but, in view of the additional facts raised by the Witness Protection and Support Office,³ the SPO is available to answer any questions or provide further information as the Trial Panel requires.
2. This filing is submitted as strictly confidential and *ex parte* pursuant to Rule 82(4) of the Rules.⁴

Word count: 158



Jack Smith

Specialist Prosecutor

Friday, 15 October 2021

At The Hague, the Netherlands.

¹ Prosecution request for protective measures, KSC-BC-2020-07/F00282, 23 August 2021, Confidential, paras 3-4.

² Decision on the Prosecution Request for Protective Measures, KSC-BC-2020-07/F00303, 7 September 2021.

³ Confidential Redacted Version of "WPSO's Request for Protective Measures for Witnesses W04841 and W04842", dated 13 October 2021, KSC-BC-2020-07/F00363/CONF/RED, 13 October 2021, Confidential. *See also* [REDACTED].

⁴ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules').